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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/500,341	02/08/2000	Takeshi Suzuki	OOCL-14(3SN-99S1078)	2467

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EXAMINER

MISLEH, JUSTIN P

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/500,341

Applicant(s)

SUZUKI, TAKESHI

Examiner

Justin P Misleh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11 and 12 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, and 6 is/are rejected.
- 7) ☒ Claim(s) 3, 4, and 7 - 10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: inconsistencies with the drawings.

- On page 10 (lines 5 and 6), the Applicant recites “image expansion function section 22”, however, figure 1 shows reference block 22 as “image extension function”.

- Also on page 10 (lines 8 and 9), the Applicant recites “print data manufacturing function section 25”, however, figure 1 shows reference block 25 as “print data generating function”.

- On page 11 (line 24), the Applicant recites “Actuator driver circuit 44 to drive actuator 43”, however, figure 1 shows reference block 52 as the “actuator drive circuit” and reference block 51 as the “actuator”.

Appropriate correction is required.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 43 (figure 1). A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 2, 5 and 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaegi et al. in view of McIntyre et al.

6. For **Claim 1**, Sakaegi et al. disclose, as shown in figures 11 and 12 and as stated in columns 11 (lines 57 – 61), 12 (lines 12 – 67), 13, and 14 (lines 1- 63), an electronic camera comprising:

an electronic imaging section which performs a photoelectron conversion of a subject image to generate an electric image information (camera unit 206);

a record section (201 – 205 and 207) to record the image information by said electronic imaging section (206) on a record medium (201);

a mode select section (211 and 211-1) to select one camera mode from among a plurality of camera modes (recording mode, erase mode, and reproducing mode; see column 12, lines 12 – 16);

a power supply remainder detection section (213, 214, and 215 – 217) to detect a remainder to be able to supply the power supply (see column 12, lines 20 – 29); and
a power supply remainder judgment section (system control circuit 210) to set a level (either V1, V2, or V3) necessary for executing an operation corresponding to a camera mode (Level V1 for the recording mode, Level V2 for the reproduction mode, and Level V3 for the erase mode)

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selected by said mode select section (211 and 211-1) according to each of said plurality of modes (recording mode, erase mode, and reproducing mode) and to judge whether a detected remainder is equal to or large than a setting level (e.g. see column 12, lines 35 – 46, and column 13, lines 7 – 20).

However, Sakaegi et al. do not disclose a print section to print an image obtained from the image information by electronic image section on a printing paper. On the other hand, McIntyre et al. disclose, as shown in figure 4 and as stated columns 5 (lines 55 – 67) and 6 (lines 1 – 15), an electronic camera (11) with integrated printer (13). McIntyre et al. disclose a print section (13) to print an image obtained from the image information by electronic image section on a printing paper (receiver 30). At the time, the invention was made, one with ordinary skill in the art would have been motivated to integrate a printer, as taught by McIntyre et al., into the electronic camera, of Sakaegi et al., as means a provide an electronic camera with the capability to produce permanent hard copies of captured images without the use of a personal computer (PC). Therefore, at the time the invention was made, one with ordinary skill in the art would have been motivated to integrate a printer, as taught by McIntyre et al., into the electronic camera, of Sakaegi et al.

7. As for **Claim 5**, it was shown to be obvious in Claim 1 to integrate a printer, as taught by McIntyre et al., into the electronic camera of Sakaegi et al. Also, as shown in Claim 1, Sakaegi et al. disclose a power supply remainder judgment section to set a level necessary for executing an operation corresponding to a camera mode, that is selected by the mode select section of the electronic camera, according to each of the plurality of modes and to judge whether a detected

remainder of the power supply is equal to or larger than the set level. Sakaegi et al. disclose a plurality of modes including a recording mode, a reproduction mode, and an erasing mode.

While Sakaegi et al. in view of McIntyre et al. show that it is obvious to integrate a printer into an electronic camera, Sakaegi et al. in view of McIntyre et al. do not include a print mode, however, at the time the invention was made, one with ordinary skill in the art would have been motivated to and it would have been obvious to have provided a print mode, as a means to govern the operation of the electronic camera so as to print recently captured images.

Thus, Sakaegi et al. in view of McIntyre et al. show that it is obvious to integrate a printer into an electronic camera and provide a print mode for that printer. Sakaegi et al. also disclose, as stated in column 19 (lines 13 – 37), wherein the power supply remainder judgment section sets a level necessary for executing an operation corresponding to one of the three camera modes wherein the recording mode level (V1) is set to a lower level than the reproducing mode (V2), wherein the reproducing mode is set to a lower level than the erasing mode (V3). Therefore, the recording mode requires less power than the reproducing mode and the reproducing mode requires less power than the erasing mode.

Sakaegi et al. in view of McIntyre et al. is silent with regard to wherein the power supply remainder judgment section sets a setting level of a starting a print at a print mode higher than a setting level at a record mode, which records an image taken by the electronic imaging section. Since, according to Sakaegi et al., the recording mode is given lesser priority than both the reproducing mode and the erasing mode, to ensure possible reliable recording even when the power supply is reduced while executing the reproducing and the erasing operations, at the time the invention was made, one with ordinary skill in the art would have been motivated to and it

would have been obvious to set a setting level of a starting a print at a print mode higher than a setting level at a record mode.

8. As for **Claims 2 and 6**, it was shown to be obvious in Claim 1 to integrate a printer, as taught by McIntyre et al., into the electronic camera of Sakaegi et al. Thus, McIntyre et al. disclose, wherein said print section (13) has a luminescence section (37) to expose a photosensitive form (30) based on the image information obtained by said electronic imaging section (206; Sakaegi et al.) and a transportation section (35) to transport a photosensitive form (30).

Allowable Subject Matter

9. **Claims 3, 4, and 7 – 10** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As for **Claims 3, 7, and 9** while the prior art teaches of a power supply remainder judgment section to set a level necessary for executing an operation corresponding to a camera mode, that is selected by the mode select section, according to each of the plurality of modes and to judge whether a detected remainder of the power supply is equal to are large than the set level, the prior art does not teach or fairly suggest setting the set level to different levels for each of the camera modes and, more specifically, including setting a level at a print mode lower than a level at a record mode, or setting a level at a starting to take a picture until a print operation is complete, at a direct print mode, no image capture, mode, respectively.

10. **Claims 11 and 12** are allowed.

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The following is a statement of reasons for the indication of allowable subject matter:

While the prior art teaches a battery remainder evaluation section which compares a remainder of a battery loaded into the electronic camera with a predetermined judgment level and a sequence controller which controls a camera based on the comparison result, the prior art does not teach or fairly suggest wherein the sequence controller applies a different judgment level to the battery remainder evaluation section at the start of an operation of a print section and in a print operation.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure as described: The cited prior art, as a whole, provide power saving techniques and printer enabling techniques for use in an electronic camera with or without an integrated printer. The techniques introduced in the prior art, as a whole, include power saving means by reducing the charge of a strobe flash, print enabling means by disabling an automatic camera power-off feature during printing, power saving means by using the printer as a power supply, power saving and print enabling means by withholding power consumption of an electronic viewfinder during printing, and power saving means and print enabling means by withholding all operations of the camera during a printing operation.


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Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 703.305.8090. The Examiner can normally be reached on Monday through Thursday from 7:30 AM to 5:30 PM and on alternating Fridays from 7:30 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wendy R Garber can be reached on 703.305.4929. The fax phone number for the organization where this application or proceeding is assigned is 703.872.9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM
MARCH 5, 2004


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